SUTHERLAND ASBILL & BRENNAN LLP P. Bruce Wright, Esq. 1114 Avenue of the Americas New York, NY 10036-7703

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Counsel for Customer Asset Protection Company

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

\$ Chapter 11

\$ Case No. 08-13555 (JMP)

\$ Jointly Administered

Debtor.

NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that the undersigned appears in the above-captioned case on behalf of Customer Asset Protection Company and, pursuant to rules 2002(g) and (i) and 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), demands that all notices given in the case and all papers served or required to be served in the case be given to and served on counsel at the addresses set forth below.

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PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referenced in the Bankruptcy Rules and provisions specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral and whether transmitted or conveyed by

mail, delivery, telephone, telex or otherwise which affect or seek to affect in any way the debtors or property or proceeds in which the debtors may claim an interest.

This appearance and demand for notice and service of papers is not and may not be deemed or construed to be a waiver of any of Customer Asset Protection Company's substantive or procedural rights, including, but not limited to, any right (i) to require that where any adversary proceeding is initiated against Customer Asset Protection Company in this or any related case, or where any proceeding is initiated by complaint against Customer Asset Protection Company, the Bankruptcy Rules, the Federal Rules of Civil Procedure and non-bankruptcy law, as applicable, shall apply, such that service upon undersigned counsel is insufficient for any such proceeding; (ii) to have any final order in a non-core matter entered only after *de novo* review by the United States District Court; (iii) to trial by jury in any proceeding so triable in this case or in any case, controversy, or proceeding related to this case; or (iv) to have the United States District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or of any other right, claim, action, defense, setoff or recoupment to which Customer Asset Protection Company is or may be entitled in law or at equity, all of which rights, claims, actions, defenses, setoffs or recoupments Customer Asset Protection Company expressly reserves.

Dated: April 30, 2012

SUTHERLAND ASBILL & BRENNAN LLP

By: /s/ Mark D. Sherrill

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COUNSEL FOR CUSTOMER ASSET PROTECTION COMPANY

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